

## **Public Law 699**

### **1. Public Law 699 puts a framework in place that establishes a statewide uniform building, energy and rehabilitation code.**

- A state Board consisting of eleven professionals representing building trades, fire safety, historic preservation and energy will be appointed to amend, update and adopt the building and energy codes.
- National building and energy codes will be customized for Maine through amendments made by this Board.
- Codes would be updated regularly by the Board, so they don't get out of date.
- The new statewide building, energy and rehabilitation code will be adopted by the Board by Jan 1, 2010.
- After that date, municipalities will no longer amend or adopt codes and pre-existing local codes will no longer be in effect.

### **2. Public Law 699 requires local code enforcement.**

- Towns remain the authority having jurisdiction for enforcement of building and energy codes under the new law.
- Towns with more than 2000 residents are required to enforce the statewide code.
- Code enforcement is optional in towns with less than 2000 residents.
- Towns have four options for enforcing the code:
  1. Towns may enforce the code through their own code enforcement program, funded by local building permit fees
  2. Towns may contract with a regional agency for code enforcement services
  3. Towns may share code enforcement services with other towns through an inter-local agreement
  4. Towns may receive a building inspection report from a certified inspector contracted by a building owner
- All towns that enforce the building and energy codes will enforce the state uniform code, eliminating the need for towns to update, amend and adopt the codes themselves.
- A state technical assistance phone line will be available to answer code questions during regular business hours.
- The final interpretation of the codes for enforcement purposes is the jurisdiction of the local code officer.

### **3. Public Law 699 puts a framework in place that can resolve conflicts between codes.**

- The state Board is authorized to resolve conflicts involving building codes and life safety codes.
- Code conflict resolutions will be adopted by rule and published on the web.
- Fire and building officials will work together on the new Board, and the Board will be housed at the Department of Public Safety, to enhance coordination and cooperation between the building and fire code professionals.
- The state Board is authorized to make recommendations to the legislature on conflicts with other codes and standards such as elevator standards and the Maine Human Rights Act.

### **4. Public Law 699 improves code enforcement through training.**

- The state Board is directed to provide affordable, accessible training to code enforcement officers, and is authorized to create certification standards for code officers.
- Specific training in Maine's building and energy codes will be added to the certification requirements for code enforcement officers.
- Building Codes Training will be offered through the Dept. of Public Safety and coordinated with the State Planning Office.
- This same training will also be offered to (but not required) builders, contractors, architects and designers.

### **5. Public Law 699 facilitates historic preservation.**

- The Board will adopt the International Existing Building Code (IEBC), which is a code that facilitates the rehab of older buildings.
- The Board will adopt this code on Jan 1, 2010 and from then on, this code will be available as a tool for architects and builders who work with older buildings.
- Training will be offered in the IEBC that will familiarize building professionals and code officers with this code.

## **6. Public Law 699 improves energy conservation in new construction.**

- The state Board will amend and adopt the International Energy Conservation Code (IECC) for Maine, providing towns with an up to date energy code that they can enforce.
- Training in Maine's energy code would be provided to local code officers at no cost and become part of the certification requirements for code officials.
- Towns with over 2000 residents will be required to enforce the energy code, in towns with less than 2000 residents, enforcement is optional (see enforcement options above)
- Towns may contract with certified inspectors for energy inspection services.

## **7. Public Law 699 lays the groundwork for further efficiencies and improvements in code administration.**

- Public Law 699 calls for further work and a report back to the Committee on our building codes administration system, including streamlining the licensing and administration of other building related codes (such as plumbing, electric, elevator, etc.)
- Public Law 699 calls for an evaluation and report back on the effectiveness of code enforcement, three years after the state uniform code takes effect.
- Public Law 699 calls for a review of the fees that support code administration and training three years after the adoption of the code.

## **8. Code administration and training is provided through the Department of Public Safety**

- A new Bureau of Building and Energy Codes is established at the Department of Public safety to support the development and administration of the new statewide building, energy and rehab codes. The Bureau will have a Director, Training Coordinator and Administrative Assistant.

- Funding is provided by a surcharge in fees paid to the Dept of Public Safety (Fire Marshal's Office) on commercial, public and institutional buildings.
- The surcharge will be deposited into a separate account dedicated to building code administration and training.
- The fee increase is \$.04 per square foot and applies to structures over 3000 square feet in size. (Examples: Fee for 3000 sq. ft. building would be raised from \$150 to \$270; fee for a 50,000 sq. ft. building would be raised from \$2500 to \$4500.)

For further information go to: